

REMARKS

The Examiner is thanked for the careful examination of the application. However, in view of the foregoing amendments and the remarks that follow, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections.

Claims 1, 11, and 22 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,862,404, hereinafter Onaga. In addition, claims 24-26 have been rejected under 35 U.S.C. §102(e) as being anticipated by Onaga. Claims 24, 25, 26 depend from claims 1, 11, and 22, respectively, and define that the status is sent to the respective plurality of computers simultaneously. With regard to the subject matter of claims 24-26, the Examiner alleges that "Onaga teaches that the printer server sends the gathered status to each of the plurality of computers simultaneously". For support for this position, the Examiner refers to column 4, lines 60-62, and column 6, lines 31-33, of Onaga. However, a careful review of the sections cited by the Examiner does not provide any indication of the simultaneous action alleged by the Examiner. Specifically, column 4, lines 60-62, refers to the fact that the device status information from the intelligent peripheral devices is stored in a central location from which all workstations can obtain it. However, there is no discussion about the workstations obtaining the device status information simultaneously.

In fact, from a review of Figures 2, 3A, and 3B of Onaga, it is clear that the process of sending the device status information from the file server 120 to the workstation 150 is initiated by the workstation 150 that requests the device status information.

Accordingly, Onaga clearly does not teach that the status information is sent out *simultaneously*, as alleged by the Examiner.

Furthermore, column 6, lines 31-33, indicates that a process preferably embodied as software is resident in each workstation 150 and is preferably provided for reading the device status file. Again, there is no discussion in this section that the reading of the device status file is accomplished simultaneously by each workstation 150. Accordingly, none of the sections relied upon by the Examiner teach the simultaneous action.

In response to the rejection of claims 1, 11, and 22, each of those claims have been amended to incorporate therein the subject matter of its respective dependent claim, 24, 25, 26, to incorporate the "simultaneous" concept.

As set forth above, Onaga does not teach this simultaneous concept. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of now amended claims 1, 11, and 22.

Claim 13 has also been rejected under 35 U.S.C. §102(e) as being anticipated by Onaga. However, claim 13 depends from claim 11, and is thus patentable over Onaga at least for the reasons set forth above with respect to claim 11.

Claim 35 has also been rejected under 35 U.S.C. §102(e) as being anticipated by Onaga.

Claim 35 defines a print server adapted to be connected to a plurality of printers and a plurality of computers, the printer server comprises, among other things, a sender for sending status information to the plurality of computers at the time. It is not clear from the rejection, which portion of Onaga is relied upon to establish the "at the same time"

language of claim 35. It appears to be column 4, lines 62-65, and column 6, lines 26-32. Column 4, lines 62-65, simply indicates that another important factor is that discovery need be performed only once for all intelligent peripheral devices and all workstations. And, column 6, lines 26-32, indicates that the device list file, the device status files, and jobs files are created so that their contents are available to users at workstations 150. The process preferably embodied as software and resident in each workstation 150 is preferably provided for reading the device status file. However, neither of these sections make any reference to sending the status information "at the same time" to a "plurality of computers".

Although it is possible, in theory, that each of the workstations may seek the device status file from the server 120 in Onaga at the same time, there is clearly no teaching or suggestion that this will happen. The Examiner's attention is directed to §2143.01 of the MPEP, wherein it states in bold capitalized letters that the "FACT THAT REFERENCES CAN BE COMBINED OR MODIFIED IS NOT SUFFICIENT TO ESTABLISH PRIMA FACIE OBVIOUSNESS". The MPEP goes on to state that the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. Clearly Onaga does not provide any teaching or suggestion that each of the workstations would simultaneously seek the information from the file server.

Accordingly, the rejection of claims 1, 11, 22, and 35 should be withdrawn.

In the event that the Examiner persists with the rejection of claims 1, 11, 22, and 35 based on Onaga, the Examiner is respectfully requested to provide more sufficient detail

concerning the simultaneous or the "at the same time" action set forth in each of these claims.

Claims 4, 14, 6, 15, 16, 17, 18, 19, 10, 21, and 23 have been rejected under 35 U.S.C. §103 as being unpatentable over Onaga, in combination with other prior art references. However, the Examiner does not rely upon the other prior art references for the teaching of simultaneous or "at the same time". Accordingly, Applicant submits that these rejections should also be withdrawn because these claims depend from either claims 1, 11, or 22.

Claims 27-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Onaga with U.S. Patent No. 5,435,544, hereinafter Mandel. The Examiner recognizes that Onaga does not teach "when the status of a printer changes". To make up for this deficiency, the Examiner relies upon column 1, lines 40-46, of Mandel. However, the technology of Mandel is different than that according to the present invention. Thus, even if the combination alleged by the Examiner is made, there is still not a teaching or suggestion of the present invention. Specifically, claim 27 defines a printer server to which at least one printer and a plurality of computers are connected. The claim further states that the printer server comprises, among other elements, a sender for sending the status to the plurality of computers when the status of the at least one printer changes. Thus, claim 27 defines a time frame when the sender sends the status to the plurality of computers. In other words, the status is sent to the plurality of computers when the status of the at least one printer changes.

However, as discussed above with regard to claims 1, 11, and 22, Onaga does not teach simultaneously sending status information to a plurality of computers. Instead, Onaga teaches that the status information is sent to a particular computer when the particular computer requests the status information. Furthermore, it is important to note that Mandel teaches that the status of a print job is sent to a particular computer that originated the print job in order to advise that particular computer when the print job is completed or if the printer is out of paper. There is no teaching or suggestion that the information in Mandel is sent to a *plurality* of computers when the status of the printer changes. Accordingly, neither Onaga, nor Mandel, teach or suggest that the status of the printer is sent to a plurality of computers at any given time, particularly, when the status of the at least one printer changes. At best, Mandel teaches that the status of a printer is sent to a particular computer, not a plurality of computers, when a print job originated by that particular computer reaches a particular status, such as completion or if the printer is out of paper.

Accordingly, neither Onaga nor Mandel, either by themselves or in combination, teaches the subject matter of claim 27 which includes, among other elements, a sender for sending the status to a plurality of computers when the status of at least one printer changes. Accordingly, the Examiner is respectfully requested reconsider and withdraw the rejection of claim 27.

Claim 28 depends from claim 27, and is thus also patentable over the cited prior art.

Claim 29 also defines sending the status of at least one printer to a plurality of computers when the status of the at least one printer changes. Accordingly, for the reasons set forth above with respect to claim 27, Applicant submits that the rejection of claim 29 is also improper and should be withdrawn.

Claim 30 depends from claim 29, and is thus also patentable over the applied prior art.

Claim 31 defines a print server which includes, among other elements, a sender for sending the status to a plurality of computers without receiving a status request from any of the plurality of computers. The Examiner has not specifically addressed this feature of claim 31. Instead, the Examiner has simply indicated that it is similar to claim 27 and 29 and therefore is similarly rejected. However, Applicant submits that claim 31 provides a different issue, and has not been adequately addressed by the Examiner.

Nevertheless, the sender in claim 31 sends the status to a plurality of computers without receiving a status request from any of the plurality of computers. To the extent that the subject matter of claim 31 is addressed in the Office Action, there appears to be an acknowledgment that the sender is not taught or suggest by Onaga. However, Mandel, as discussed above, does not teach sending the status to a plurality of computers. Instead, Mandel merely sends the status to the particular computer which originated the print request. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claim 31 and dependent claim 32, which depends from claim 31.

With regard to claim 33, similar issues reside as with claim 31. Specifically, the subject matter of claim 33 has not been adequately addressed by the Examiner, and,

Applicant submits that Mandel does not teach or suggest, either by itself, or in combination with Onaga, the sending of the status of at least one printer to a plurality of computers without any of the plurality of computers sending a status request. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claim 33, and dependent claim 34.

To further define the protection to which Applicant is entitled. New claims 36-39 are submitted herewith. The new claims are dependent claims which are patentable at least for the reasons set forth above with respect to the independent claims from which they depend. In addition, the discussion of amended claims 1, 11, and 22, is pertinent to the new claims 36-39. Accordingly, the Examiner is respectfully requested to enter the foregoing amendments and to reconsider and withdraw the outstanding rejections.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: William C. Rowland
William C. Rowland
Registration No. 30,888

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: February 4, 2003

Attachment to Amendment dated February 4, 2003

Mark-up of Claims

1. (Thrice Amended) A print system, comprising:
 - a print server;
 - a plurality of printers connected to the print server;
 - a plurality of computers connected to the print server;
 - the print server includes a job observation module for monitoring and gathering the status of the plurality of printers connected to the print server, and sends the gathered status to the plurality of computers simultaneously; and
 - each of the computers includes a status monitor for displaying the status.

11. (Thrice Amended) A method of controlling a print system, comprising the steps of:
 - gathering a status of a plurality of printers with a print server; and
 - sending the gathered status of the plurality of printers simultaneously to a plurality of computers connected to the print server, the status being displayed at each of the plurality of computers.

22. (Twice Amended) A print server adapted to be connected to a plurality of printers and a plurality of computers, the print server comprising:
 - a job observation module for monitoring and gathering the status of the plurality of printers; and

Attachment to Amendment dated February 4, 2003

a device for simultaneously notifying each of the plurality of computers of
the gathered status of the plurality of printers.